



# DIGEST SUPPLEMENT

To Legislative Digest and History of Bills  
**Supplement No. 73\***

FIFTY-SEVENTH LEGISLATURE

**Tuesday, June 5, 2001**

**2nd Day - 2001 2nd Special**

## SENATE

SB 6140-S  
SB 6188  
SB 6190  
SB 6191  
SB 6192  
SB 6193

## HOUSE

HB 2025-S2  
HB 2260  
HB 2263  
HB 2264  
HB 2265  
HB 2266  
HCR 4414  
HCR 4415  
HCR 4416

## LIST OF BILLS IN DIGEST SUPPLEMENTS

See separate publication in Bill Room for List of Bills for Supplements 1 through 46

### SENATE

SB 5024-S	Supp. 49	SB 5514-S2	Supp. 51
SB 5047	Supp. 58	SB 5540-S2	Supp. 51
SB 5051	Supp. 49	SB 5541-S	Supp. 59
SB 5058	Supp. 49	SB 5570	Supp. 50
SB 5078-S	Supp. 48	SB 5576-S2	Supp. 49
SB 5094-S2	Supp. 59	SB 5598-S	Supp. 50
SB 5094-S2	Supp. 54	SB 5606-S	Supp. 50
SB 5113-S	Supp. 49	SB 5610-S	Supp. 53
SB 5170-S2	Supp. 50	SB 5625-S2	Supp. 53
SB 5237-S	Supp. 56	SB 5674-S	Supp. 50
SB 5237-S	Supp. 49	SB 5686	Supp. 56
SB 5238-S	Supp. 49	SB 5703-S	Supp. 50
SB 5264-S	Supp. 49	SB 5743-S	Supp. 56
SB 5299	Supp. 50	SB 5749-S	Supp. 67
SB 5326-S	Supp. 48	SB 5749-S	Supp. 56
SB 5327-S	Supp. 48	SB 5759-S	Supp. 67
SB 5336-S	Supp. 50	SB 5760-S	Supp. 56
SB 5344-S	Supp. 54	SB 5764-S	Supp. 67
SB 5345-S	Supp. 53	SB 5764-S	Supp. 56
SB 5346-S	Supp. 53	SB 5765-S	Supp. 56
SB 5347-S	Supp. 53	SB 5835	Supp. 50
SB 5364-S	Supp. 50	SB 5872	Supp. 51
SB 5374	Supp. 51	SB 5882	Supp. 52
SB 5419-S2	Supp. 59	SB 5888	Supp. 52
SB 5434-S	Supp. 51	SB 5894-S	Supp. 51
SB 5469-S2	Supp. 51	SB 5904-S	Supp. 52
SB 5514-S2	Supp. 56	SB 5936-S2	Supp. 52

### HOUSE

HB 1012	Supp. 47	HB 1953-S	Supp. 47
HB 1058-S2	Supp. 64	HB 1995-S	Supp. 56
HB 1092	Supp. 47	HB 1995-S	Supp. 53
HB 1180-S2	Supp. 49	HB 1997-S	Supp. 49
HB 1267-S	Supp. 67	HB 2005	Supp. 47
HB 1286-S	Supp. 48	HB 2104-S	Supp. 55
HB 1314-S	Supp. 52	HB 2137-S	Supp. 49
HB 1315-S	Supp. 66	HB 2138-S	Supp. 63
HB 1350	Supp. 59	HB 2172-S	Supp. 49
HB 1359-S	Supp. 66	HB 2216-S	Supp. 67
HB 1370-S	Supp. 48	HB 2224	Supp. 47
HB 1418-S	Supp. 47	HB 2225	Supp. 47
HB 1420-S	Supp. 47	HB 2226	Supp. 47
HB 1517-S	Supp. 68	HB 2227	Supp. 51
HB 1606	Supp. 47	HB 2227-S	Supp. 64
HB 1625-S	Supp. 51	HB 2228	Supp. 53
HB 1655-S	Supp. 48	HB 2229	Supp. 53
HB 1728-S2	Supp. 47	HB 2230	Supp. 54
HB 1745	Supp. 48	HB 2231	Supp. 54
HB 1785-S	Supp. 47	HB 2232	Supp. 56
HB 1832-S	Supp. 60	HB 2233	Supp. 56
HB 1832-S	Supp. 55	HB 2234	Supp. 56
HB 1845	Supp. 58	HB 2235	Supp. 56
HB 1864	Supp. 48	HB 2236	Supp. 58
HB 1886	Supp. 63	HB 2237	Supp. 58
HB 1926-S	Supp. 63	HB 2238	Supp. 58
HB 1936	Supp. 49	HB 2239	Supp. 58

\*To be discarded upon receipt of Edition No. 1 of the Legislative Digest and History of Bills

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**House Bills**


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**HB 2025-S2** by House Committee on Appropriations  
(originally sponsored by Representatives  
Santos, Talcott, Quall, Keiser, Ogden, Tokuda,  
Schual-Berke and Kenney)

Changing transitional bilingual instruction program provisions.

(AS OF HOUSE 2ND READING 5/23/01)

Provides that the superintendent of public instruction shall review: (1) The criteria used to determine the point at which limited English proficient students are required to take the Washington assessment of student learning. The review shall be used to determine if the criteria are developmentally appropriate and in the best interest of the students.

(2) The criteria used to determine the point at which the results of the Washington assessment of student learning for students receiving instructional services in the state transitional bilingual instruction program should be included in a school district's and school's assessment results.

Provides that, in conducting the review, the superintendent shall consult with parents, teachers, principals, classroom instructional staff, recognized experts in second-language instruction, and statewide ethnic organizations that represent second-language learners.

Requires preliminary results of the review to be reported to the education and fiscal committees of the legislature by December 1, 2001. Final results of the review shall be reported to the education and fiscal committees of the legislature by December 1, 2002.

Provides that the act shall be null and void if appropriations are not approved.

**-- 2001 REGULAR SESSION --**

Mar 8 APP - Majority; 2nd substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.  
Mar 11 Placed on second reading by Rules Committee.  
Mar 12 2nd substitute bill substituted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 98; nays, 0; absent, 0.

**- IN THE SENATE -**

Mar 14 First reading, referred to Education.  
Mar 30 EDU - Majority; do pass with amendment(s).  
Minority; do not pass.  
Passed to Rules Committee for second reading.  
Apr 6 Made eligible to be placed on second reading.

Apr 10 Placed on second reading by Rules Committee.

Apr 11 Committee amendment adopted as amended.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 36; nays, 11; absent, 2.

**- IN THE HOUSE -**

Apr 17 House refuses to concur in Senate amendments. Asks Senate to recede from amendments.

**- IN THE SENATE -**

Apr 19 Senate insists on its position and asks House to concur.

**- IN THE HOUSE -**

Apr 22 Returned to House Rules 3.

**-- 2001 1ST SPECIAL SESSION --**

Apr 25 By resolution, reintroduced and retained in present status.  
May 21 Rules Committee relieved of further consideration. Placed on third reading.  
Rules suspended.  
Returned to second reading for amendment.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 92; nays, 0; absent, 6.

**- IN THE SENATE -**

May 22 Read first time, rules suspended, and placed on second reading calendar.  
May 23 Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 40; nays, 1; absent, 8.

**- IN THE HOUSE -**

May 24 House concurred in Senate amendments.  
Passed final passage: yeas, 95; nays, 0; absent, 3.  
Speaker signed.

**- IN THE SENATE -**

President signed.

**- OTHER THAN LEGISLATIVE ACTION -**

Delivered to Governor.

**HB 2260** by Representatives Cairnes, Morris, Kessler, Linville, McMorris, Doumit, Anderson, Hatfield, Poulsen, Crouse, Voloria, Benson,

DeBolt, Reardon, Ericksen, Armstrong, Dunshee, Mastin and Delvin

Changing the tax treatment of grocery distribution cooperatives.

(AS OF HOUSE 2ND READING 5/23/01)

Declares that the amount of tax with respect to a qualified grocery distribution cooperative's sales of groceries or related goods for resale, excluding items subject to tax under RCW 82.04.260(4), to customer-owners of the grocery distribution cooperative is equal to the gross proceeds of sales of the grocery distribution cooperative multiplied by the rate of one and one-half percent.

Declares that a qualified grocery distribution cooperative is allowed a deduction from the gross proceeds of sales of groceries or related goods for resale, excluding items subject to tax under RCW 82.04.260(4), to customer-owners of the grocery distribution cooperative that is equal to the portion of the gross proceeds of sales for resale that represents the actual cost of the merchandise sold by the grocery distribution cooperative to customer-owners.

**-- 2001 1ST SPECIAL SESSION --**

May 21 Read first time, rules suspended, and placed on second reading calendar.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 92; nays, 0; absent, 6.

**- IN THE SENATE -**

May 22 First reading, referred to Ways & Means.  
May 23 WM - Majority; do pass.  
Rules suspended.  
Placed on second reading.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 40; nays, 0; absent, 9.

**- IN THE HOUSE -**

May 24 Speaker signed.

**- IN THE SENATE -**

President signed.

**- OTHER THAN LEGISLATIVE ACTION -**

Delivered to Governor.

**HB 2263** by Representatives Schual-Berke, Doumit, Haigh, Kenney, McIntire, Tokuda, Fisher, Fromhold, Hurst, Veloria, Hunt, Edmonds, Wood, Kagi and Quall

Funding traffic safety education.

Provides funding for traffic safety education.

**-- 2001 1ST SPECIAL SESSION --**

May 24 First reading, referred to Rules Review.

**HB 2264** by Representatives Cody, Alexander, Romero, Skinner, Schual-Berke and Ballasiotes

Creating performance measures to evaluate the community mental health service delivery system.

(AS OF HOUSE 2ND READING 5/23/01)

Directs the department, in collaboration with a work group appointed by the secretary and made up of consumers, advocates, service providers, and representatives of regional support networks, to develop performance measures for use in evaluating and managing the community mental health service delivery system authorized under chapter 71.24 RCW.

Provides that the department shall require that service providers and regional support networks collect uniform performance measure information and report it to the department regularly. The department shall develop benchmarks that compare performance measure information from all regional support networks and providers to provide a clear indication of the most effective regional support networks and providers. Benchmark information shall be published quarterly and provided to the legislature, the governor, regional support networks, and all providers of mental health services.

Requires the department to provide a report to the appropriate committees of the legislature on the development, implementation, and achievement of the performance measures by regional support networks and service providers on an annual basis, no later than June 30th of each year, beginning in 2002. The report shall include how the department is using the outcome measure information obtained under this act to manage the community mental health service delivery system.

Provides that the act shall be null and void if appropriations are not approved.

**-- 2001 1ST SPECIAL SESSION --**

May 23 Read first time, rules suspended, and placed on second reading calendar.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 95; nays, 0; absent, 3.

**- IN THE SENATE -**

May 24 Read first time, rules suspended, and placed on second reading calendar.  
By resolution, returned to House Rules Committee for third reading.

**HB 2265** by Representatives Ogden and Talcott

Enacting an open private choice primary.

Declares an intent of the legislature to create a primary for all partisan elected offices, except for president and vice

president, precinct committee officer, and offices exempted from the primary under RCW 29.15.150, that: (1) Allows each voter, including those who choose to be undeclared, to participate;

(2) Preserves the privacy of each voter's party affiliation, if any;

(3) Rejects mandatory voter registration by political party;

(4) Protects ballot access for minor political party and independent candidates;

(5) Maintains a candidate's right to self-identify with any major political party; and

(6) Upholds a political party's First Amendment right of association.

Repeals RCW 29.18.010, 29.18.120, 29.18.150, 29.18.160, 29.18.200, and 29.30.040.

**-- 2001 1ST SPECIAL SESSION --**

May 24 First reading, referred to Rules Review.

**HB 2266** by Representatives Linville and G. Chandler

Modifying reimbursement for travel expenses incurred by certain agricultural boards and commissions.

Revises reimbursement for travel expenses incurred by certain agricultural boards and commissions.

**-- 2001 1ST SPECIAL SESSION --**

May 24 Read first time, rules suspended, and placed on second reading calendar.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 95; nays, 0; absent, 3.

**- IN THE SENATE -**

Held on first reading.

By resolution, returned to House Rules Committee for third reading.

**-- 2001 2ND SPECIAL SESSION --**

**- IN THE HOUSE -**

Jun 4 Rules Committee relieved of further consideration. Placed on third reading.  
Third reading, passed: yeas, 89; nays, 0; absent, 9.

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**House Concurrent Resolutions**

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**HCR 4414** by Representatives Carrell and Lantz

Creating a joint select committee on civil forfeiture.

Creates a joint select committee on civil forfeiture to evaluate civil forfeiture laws and practices, evaluate changes to federal civil forfeiture laws and how they compare to Washington law, analyze whether a requirement for a criminal conviction before allowing civil forfeiture would raise additional constitutional issues, conduct a comprehensive review of every civil forfeiture case that took place in Washington under state law in the year 2000, discuss other civil forfeiture issues identified by the joint select committee, and make recommendations on ways to improve civil forfeiture laws.

**-- 2001 1ST SPECIAL SESSION --**

May 24 Read first time, rules suspended, and placed on second reading calendar.  
Rules suspended. Placed on Third Reading.  
Third reading, adopted.

**- IN THE SENATE -**

Read first time, rules suspended, and placed on second reading calendar.  
Rules suspended. Placed on Third Reading.  
Third reading, adopted: yeas, 44; nays, 0; absent, 5.

**- IN THE HOUSE -**

Speaker signed.

**- IN THE SENATE -**

President signed.

**- OTHER THAN LEGISLATIVE ACTION -**

Filed with Secretary of State.

**HCR 4415** by Representatives Kessler and Mastin

Returning bills to the house of origin.

Returns bills to the house of origin.

**-- 2001 1ST SPECIAL SESSION --**

May 24 Read first time, rules suspended, and placed on second reading calendar.  
Rules suspended. Placed on Third Reading.  
Third reading, adopted.

**- IN THE SENATE -**

Read first time, rules suspended, and placed on second reading calendar.  
Rules suspended. Placed on Third Reading.  
Third reading, adopted.

**- IN THE HOUSE -**  
Speaker signed.

**- IN THE SENATE -**  
President signed.

**- OTHER THAN LEGISLATIVE ACTION -**  
Filed with Secretary of State.

**HCR 4416** by Representatives Mastin and Kessler

Adjourning SINE DIE.  
Adjourns SINE DIE.

**-- 2001 1ST SPECIAL SESSION --**

May 24 Read first time, rules suspended, and  
placed on second reading calendar.  
Rules suspended. Placed on Third  
Reading.  
Third reading, adopted.

**- IN THE SENATE -**  
Read first time, rules suspended, and  
placed on second reading calendar.  
Rules suspended. Placed on Third  
Reading.  
Third reading, adopted.

**- IN THE HOUSE -**  
Speaker signed.

**- IN THE SENATE -**  
President signed.

**- OTHER THAN LEGISLATIVE ACTION -**  
Filed with Secretary of State.

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**Senate Bills**

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**SB 6140-S** by Senate Committee on Transportation  
(originally sponsored by Senators  
McDonald, Prentice, Horn, Eide, Johnson, Finkbeiner,  
Patterson, Shin, Benton, Kastama, Costa, McAuliffe, Rossi,  
Long, Roach, Zarelli and Oke)

Authorizing creation of congestion relief districts.  
(REVISED FOR ENGROSSED: Authorizing creation of  
regional transportation investment districts.)

(AS OF SENATE 2ND READING 5/21/01)

Provides that, to achieve improved regional mobility,  
to promote individual and economic well-being, and to  
implement recommendation number six of the Blue Ribbon  
Commission on Transportation final report, relating to  
regional transportation solutions, regional transportation  
investment districts are created.

Declares it is the purpose of regional transportation  
investment districts to generate revenues for a limited  
period of time to assist in the financing of transportation  
improvements made to highways of statewide significance  
to improve transportation mobility in congested areas.

Recognizes that a multimodal approach to the state's  
transportation system is the best means of addressing  
transportation needs. For the past decade, little money has  
been spent on adding capacity to our state's highways of  
statewide significance. This lack of investment includes  
major new highway projects to add capacity and lane miles  
to major state routes, interstates or other freeway systems,  
as well as associated high-capacity transportation capital  
improvements such as park and ride facilities, high-  
occupancy vehicle lanes, transit flyover access ramps to  
highway lanes, and bus pullouts along highways as means  
to reduce traffic congestion.

Declares that regional transportation investment  
district planning committees are advisory entities which are  
created, convened, and empowered as follows: (1) A  
county or, by agreement, multiple contiguous counties, may  
choose to create a regional transportation investment district  
and convene a regional transportation investment district  
planning committee.

(2) If a regional transportation investment district  
planning committee is formed, each county commissioner  
or councilmember from each participating county shall  
appoint one member to the planning committee.

(3) A regional transportation investment district  
planning committee may be entitled to state funding, as  
appropriated by the legislature, for start-up funding to pay  
for salaries, expenses, overhead, supplies, and similar  
expenses ordinarily and necessarily incurred in selecting  
transportation projects and funding for those projects under  
this chapter. Upon creation of a regional transportation  
investment district, the district shall reimburse the state for  
any sums advanced for these start-up costs from the state.

(4) Governance of and decisions by a regional  
transportation investment district planning committee shall  
be by majority vote of the total membership.

(5) At any time, with a two-thirds vote of the  
membership of the planning committee, the planning  
committee may dissolve itself.

(6) A regional transportation investment district  
planning committee or if applicable, its executive board,  
shall convene, from time to time and as appropriate, to  
create and adopt a regional transportation investment plan  
providing for the selection, development, construction, and  
financing of transportation projects. The regional  
transportation investment plan should consider  
transportation and land use planning.

(7) A planning committee shall select transportation  
projects to reduce traffic congestion and will create a  
regional transportation investment plan providing for the  
development, construction, and financing of the  
transportation project or projects to be constructed to submit  
to the county legislative authorities.

(8) A regional transportation investment district  
planning committee may, as part of a regional transportation  
investment plan, recommend the imposition of some or all  
of the following revenue sources: (a) A regional sales and  
use tax of up to 0.5 percent of the selling price, in the case  
of a sales tax, or value of the article used, in the case of a

use tax. The tax authorized pursuant to this section shall be in addition to the tax authorized by RCW 82.14.030 and shall be collected from those persons who are taxable by the state pursuant to chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the taxing district. Motor vehicles, as defined in RCW 46.04.320, are exempt from the sales and use tax imposed under this subsection (9)(a);

(b) A use tax imposed on the privilege of using a motor vehicle within a regional transportation investment district. The tax applies to those persons who reside within the regional transportation investment district. The rate of the tax may not exceed 0.5 percent of the value of the motor vehicle. The tax authorized by this subsection is in addition to the tax authorized under RCW 82.14.030 and shall be imposed and collected at the time a taxable event under RCW 82.08.020(1) or 82.12.020 takes place. All revenue received under this subsection (9)(b) shall be deposited in the local sales and use tax account and distributed to the regional transportation investment district according to RCW 82.14.050. The following provisions shall apply to the use tax in this subsection (8)(b): (i) In such cases where persons are taxable under chapter 82.08 RCW, the seller shall collect the use tax from the buyer using the collection provisions set forth in RCW 82.08.050. (ii) In such cases where persons are taxable under chapter 82.12 RCW, the use tax shall be collected using the provisions set forth in RCW 82.12.045.

Finds that regional solutions to the state's transportation needs are of paramount concern. The legislature further recognizes that different areas of the state will need the flexibility to fashion local solutions to their transportation problems, and that regional transportation systems may evolve over time.

(1) The central Puget Sound regional transportation investment district planning committee is hereby created as a pilot project, and consists of the counties of King, Pierce, and Snohomish.

(2) Areas of the state outside of King, Snohomish, and Pierce counties shall be eligible for grants from the state of one hundred fifty thousand dollars or more to study and develop regional transportation models. Regions electing to participate in this pilot program shall develop a model that can be used in other parts of the state and shall report to the transportation committees in the senate and house of representatives on the positive and negative aspects of the model as well as costs associated with it no later than June 30, 2002.

Provides that, by interlocal agreement, transit agencies located in any county other than a county which, in whole or in part, is a part of a regional transit authority, or is eligible to form or participate in a regional transit authority, may choose to coordinate their efforts to implement some or all of the dedicated funding sources set forth in RCW 81.104.150, 81.104.160, and 81.104.170, to implement high-capacity transportation service as a joint effort, across their respective jurisdictions. The respective county legislative authorities may choose to set forth a common ballot measure and vote to accomplish this purpose.

Designates state route number 519 and that portion of state route number 509 which runs or will run from state route number 518 in the north to the intersection with

interstate 5 in the south as state highways of statewide significance.

Regional transportation investment districts and their powers and duties shall be terminated on June 30, 2006.

**-- 2001 REGULAR SESSION --**

Apr 9 TRAN - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.  
Passed to Rules Committee for second reading.

**-- 2001 1ST SPECIAL SESSION --**

Apr 25 By resolution, reintroduced and retained in present status.  
May 16 Placed on second reading by Rules Committee.  
May 18 1st substitute bill substituted.  
Held on second reading.  
May 21 Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 26; nays, 20; absent, 3.

**- IN THE HOUSE -**

May 23 First reading, referred to Transportation.  
May 24 By resolution, returned to Senate Rules Committee for third reading.

**SB 6188** by Senators Prentice, Swecker, Haugen, McDonald, Gardner, Horn, Rasmussen and Deccio

Streamlining the environmental permit process for transportation projects.

(AS OF SENATE 2ND READING 5/22/01)

Declares an intent to achieve transportation permit reform to expedite the delivery of statewide significant transportation projects through a streamlined approach to environmental permit decision making. In order to optimize the limited resources available for transportation system improvements and environmental protection, state regulatory and natural resource agencies, public and private sector interests, Indian tribes, and the department of transportation must work cooperatively to establish common goals, minimize project delays, develop consistency in the application of environmental standards, maximize environmental benefits through coordinated investment strategies, and eliminate duplicative processes through delegation of selected permit drafting and compliance activities between state and federal agencies.

Creates the transportation permit efficiency and accountability committee. The committee shall integrate current environmental standards, but may not create new environmental standards. The committee shall conduct three environmental permit streamlining pilot projects and create a process to develop general permits. Additionally,

the committee shall seek federal delegation to the state where appropriate to streamline transportation projects.

**-- 2001 1ST SPECIAL SESSION --**

May 21 First reading, referred to Transportation.  
TRAN - Majority; do pass.  
May 22 Rules suspended.  
Placed on second reading.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 39; nays, 3; absent, 7.

**- IN THE HOUSE -**

May 23 First reading, referred to Transportation.  
May 24 Committee relieved of further consideration. Placed on second reading.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 96; nays, 0; absent, 2.

**- IN THE SENATE -**  
President signed.

**- IN THE HOUSE -**  
Speaker signed.

**- OTHER THAN LEGISLATIVE ACTION -**

Delivered to Governor.  
May 29 Governor signed.  
Chapter 2, 2001 Laws 1st Special Session.  
Effective date 5/29/2001.

**SB 6190** by Senator McCaslin

Requiring notice to landlords of tenants' and occupants' status as level III sex offenders.

Declares that a "risk level III sex offender" means any person required to register under RCW 9A.44.130 and classified by a local law enforcement agency, the indeterminate sentence review board, the department of social and health services, or the department of corrections as an offender whose risk assessments indicate a high risk of reoffense within the community.

Requires a person seeking to rent or occupy a dwelling to provide written notice to the landlord, prior to physical occupation of the property, that a tenant or a prospective occupant of the property to be rented is required to register as a sex offender under RCW 9A.44.130 and is classified as a risk level III sex offender. If a tenant or occupant is classified as risk level II and registered as a sex offender under RCW 9A.44.130 after the property has been occupied by the tenant or occupant, or if a level III sex offender moves into the residence or on the rental property as a cotenant or occupant after the original tenant takes occupancy, the tenant must notify the landlord in writing, within twenty-four hours, of the level II sex offender's status and intent to occupy the property.

Declares that the requirement that any tenant or occupant register as a sex offender under RCW 9A.44.130 is grounds for eviction under chapter 59.20 RCW.

**-- 2001 1ST SPECIAL SESSION --**

May 24 First reading, referred to Judiciary.

**SB 6191** by Senators Eide, Swecker and Rasmussen

Funding traffic safety education.  
Provides funding for traffic safety education.

**-- 2001 1ST SPECIAL SESSION --**

May 24 First reading, referred to Transportation.

**SB 6192** by Senators Constantine, Jacobsen, Patterson and Fraser

Exempting certain vehicles powered by electricity and gasoline from emission control inspections.

Exempts hybrid motor vehicles that obtain a rating by the environmental protection agency of at least fifty miles per gallon of gas during city driving. For purposes of this act, a hybrid motor vehicle is one that uses propulsion units powered by both electricity and gas.

**-- 2001 1ST SPECIAL SESSION --**

May 24 First reading, referred to Environment, Energy & Water.

**SB 6193** by Senators Prentice, Deccio, Gardner, Hewitt, Shin, T. Sheldon and Rasmussen

Providing consistency in gaming.

Declares that within the regulatory framework established in this chapter and under the Indian gaming regulatory act of 1988, Titles 18 and 25 U.S.C., the gambling opportunities for eligible nonprofit, fraternal, and for-profit operators shall be uniform and consistent. The eligible fraternal, bona fide charitable and nonprofit, and for-profit operators shall have an equal and uniform opportunity to engage in all lawful aspects of gambling in order to be able to compete in a fair and timely manner for the amusement and entertainment of the public.

Declares that in authorizing systems of linked electronic bingo terminals, games played on such systems shall only include bingo games with electronic facsimiles of bingo displayed on the screen and with all players on the system competing against each other to match the numbers of symbols drawn in the game.

Directs the department of revenue to adopt rules for the collection of taxes generated from electronic pull-tab sales. The tax shall be set at ten percent of the net win from the sales of electronic pull-tabs. All proceeds from taxes collected under this act shall be deposited in an account in the custody of the state treasurer. This custodial account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. Five

percent of the proceeds from taxes collected under this section shall be allocated for problem gaming prevention, youth education, public awareness, training, helpline services, and to the division of alcohol and substance abuse in the department of social and health services, for treatment.

Authorizes the legislative authority of any county, city-county, city, or town, by local law and ordinance, and in accordance with this chapter and rules adopted under it, to provide for the collection of taxes generated from electronic pull-tab sales. The tax shall be set at up to five percent of the net win from the sales of electronic pull-tabs.

**-- 2001 1ST SPECIAL SESSION --**

May 24     First reading, referred to Labor, Commerce  
                 & Financial Institutions.



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# LIST OF BILLS IN DIGEST SUPPLEMENTS CONT.

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## SENATE

SB 5937-S ..... Supp. 52  
SB 5942-S ..... Supp. 52  
SB 5947-S2 ..... Supp. 50  
SB 5959 ..... Supp. 70  
SB 5970-S ..... Supp. 52  
SB 5993-S ..... Supp. 52  
SB 5995-S ..... Supp. 52  
SB 6001 ..... Supp. 52  
SB 6008-S ..... Supp. 50  
SB 6034-S ..... Supp. 50  
SB 6126 ..... Supp. 52  
SB 6140-S ..... Supp. 58  
SB 6143-S ..... Supp. 60  
SB 6143-S ..... Supp. 57  
SB 6150 ..... Supp. 47  
SB 6151 ..... Supp. 50  
SB 6151-S ..... Supp. 67  
SB 6151-S ..... Supp. 57  
SB 6152 ..... Supp. 51  
SB 6153 ..... Supp. 51  
SB 6154 ..... Supp. 51  
SB 6155 ..... Supp. 51  
SB 6156 ..... Supp. 51  
SB 6157 ..... Supp. 51  
SB 6158 ..... Supp. 51  
SB 6159 ..... Supp. 51  
SB 6160 ..... Supp. 51  
SB 6161 ..... Supp. 51  
SB 6162 ..... Supp. 51  
SB 6163 ..... Supp. 51  
SB 6164 ..... Supp. 51  
SB 6165 ..... Supp. 51  
SB 6166 ..... Supp. 51  
SB 6166-S ..... Supp. 53  
SB 6167 ..... Supp. 51  
SB 6167-S ..... Supp. 53  
SB 6168 ..... Supp. 51  
SB 6169 ..... Supp. 51  
SB 6170 ..... Supp. 51  
SB 6171 ..... Supp. 52  
SB 6171-S ..... Supp. 53  
SB 6172 ..... Supp. 53  
SB 6172-S ..... Supp. 58  
SB 6173 ..... Supp. 55  
SB 6174 ..... Supp. 56  
SB 6175 ..... Supp. 57  
SB 6176 ..... Supp. 60  
SB 6177 ..... Supp. 60  
SB 6177-S ..... Supp. 63  
SB 6177-S2 ..... Supp. 64  
SB 6178 ..... Supp. 60  
SB 6179 ..... Supp. 61  
SB 6180 ..... Supp. 64  
SB 6181 ..... Supp. 66  
SB 6182 ..... Supp. 68  
SB 6183 ..... Supp. 71  
SB 6183 ..... Supp. 68  
SB 6184 ..... Supp. 70  
SB 6185 ..... Supp. 71  
SB 6186 ..... Supp. 71  
SB 6187 ..... Supp. 72  
SB 6188 ..... Supp. 72  
SB 6189 ..... Supp. 72  
SJM 8012 ..... Supp. 52  
SJM 8016 ..... Supp. 52  
SJM 8023 ..... Supp. 69  
SCR 8413 ..... Supp. 52  
SCR 8414 ..... Supp. 54  
SCR 8415 ..... Supp. 55  
SCR 8416 ..... Supp. 64  
SCR 8417 ..... Supp. 64  
SCR 8418 ..... Supp. 70

## HOUSE

HB 2240 ..... Supp. 58  
HB 2241 ..... Supp. 60  
HB 2242 ..... Supp. 60  
HB 2242-S ..... Supp. 69  
HB 2243 ..... Supp. 61  
HB 2244 ..... Supp. 61  
HB 2245 ..... Supp. 61  
HB 2246 ..... Supp. 61  
HB 2247 ..... Supp. 64  
HB 2247 ..... Supp. 62  
HB 2248 ..... Supp. 62  
HB 2249 ..... Supp. 62  
HB 2250 ..... Supp. 62  
HB 2251 ..... Supp. 64  
HB 2252 ..... Supp. 64  
HB 2253 ..... Supp. 64  
HB 2254 ..... Supp. 64  
HB 2255 ..... Supp. 64  
HB 2256 ..... Supp. 64  
HB 2257 ..... Supp. 64  
HB 2258 ..... Supp. 65  
HB 2260 ..... Supp. 72  
HB 2262 ..... Supp. 72  
HJM 4014 ..... Supp. 47  
HJR 4218 ..... Supp. 47  
HCR 4410 ..... Supp. 49  
HCR 4413 ..... Supp. 65